

MARCY KAPTUR
MEMBER
9TH DISTRICT, OHIO

COMMITTEES:
APPROPRIATIONS

SUBCOMMITTEES:
AGRICULTURE, RURAL DEVELOPMENT,
FDA AND RELATED AGENCIES
DEFENSE



**Congress of the United States
House of Representatives
Washington, DC 20515-3509**

WASHINGTON OFFICE
2366 RAYBURN BUILDING
WASHINGTON, DC 20515-3509
(202) 225-4146
FAX: (202) 225-7711

OHIO OFFICE:
ONE MARITIME PLAZA
6th FLOOR
TOLEDO, OH 43604
(419) 259-7500
(800) 964-4699
FAX: (419) 255-9623
www.house.gov/kaptur

June 24, 2005

The Honorable Elaine L. Chao
Secretary
Department of Labor
Office of the Secretary
200 Constitution Avenue, NW
Washington, DC 20210-0001

Dear Secretary Chao:

The City of Toledo's police department and the Lucas County (Ohio) Prosecutor's office are attempting to carry out an exhaustive investigation into whether criminal charges should be filed regarding safety violations resulting in the deaths of four ironworkers on construction of the I-280 Maumee River Crossing in Toledo, Ohio. Madame Secretary, I ask that you use the authority you have to assist the Lucas County Prosecutor's office in their investigation. You have been provided the general authority to use the services of any State or political subdivision with reimbursement under section 7 (c) of the OSH Act.

On February 16, 2004 our community was shocked by tragedy, when a two million-pound construction crane collapsed at the I-280 Maumee River Crossing construction site in Toledo, Ohio. The collapse resulted in the deaths of four Ironworkers. It is with great sadness and a deep sense of responsibility that I bring to your attention further details surrounding this accident and possible criminal wrongdoing by the firm responsible for the bridge's construction.

The Occupational Safety and Health Administration (OSHA) has fined the project's general contractor, Fru-Con, \$280,000 for the incident. OSHA has said that Fru-Con committed "willful" safety violations prior to the crane's collapse. OSHA has said that Fru-Con committed "willful" safety violations only to reclassify them as "unclassified," and the agency has also pulled out of a special safety 'partnership' with Fru-Con, saying the firm didn't live up to the deal.

An investigation of criminal wrongdoing on a project of this magnitude is an enormous task for any local agency. I believe that the Department of Labor can be of immeasurable assistance to the local entities in this pursuit. I look forward to your involvement and counsel.

Sincerely,

A handwritten signature in cursive script that reads "Marcy Kaptur".

MARCY KAPTUR
U.S. Representative

MK:naf